

# 192 PETITION FOR SPECIAL HEARING 85-255-SPHA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve:

- (1) the construction of a business sign in a D.R. zone which is contiguous to and under the same ownership as an industrial use zone.
- (2) the construction of a business sign in an M.R. zone

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) JOHNSTON LABORATORIES  
(Type or Print Name)  
Signature Signature  
Address Address  
City and State City and State  
Attorney for Petitioner:  
Keith R. Truffer, Esquire 383 Hillen Road 337-8700  
(Type or Print Name) Address Phone No.  
Towson, Maryland 21204  
Signature City and State  
102 West Pennsylvania Avenue  
Address  
Towson, Maryland 21204-4575  
City and State  
Attorney's Telephone No.: 823-1800  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of February, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of March, 1985, at 1:30 o'clock P.M.

RESCHEDULED:  
Wednesday, May 8, 1985  
at 1:30 p.m.

ADMINISTRATIVE NO. 1  
(over)

Cal Jahn  
Zoning Commissioner of Baltimore County.

# 192 PETITION FOR ZONING VARIANCE 85-255-SPHA TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1 to permit the construction of a double faced, internally illuminated sign with a total square footage of 161 square feet in lieu of a petitioned non-illuminated sign of 25 square feet. In the alternative, a variance is sought from Section 243.4 to permit the construction of a structure (sign) in an M.R. zone within a distance of 25 feet from the nearest residential boundary line in lieu of the required 125 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Legal Owner(s):  
(Type or Print Name) JOHNSTON LABORATORIES  
(Type or Print Name)  
Signature Signature  
Address Address  
City and State City and State  
Attorney for Petitioner:  
Keith R. Truffer, Esquire 383 Hillen Road 337-8700  
(Type or Print Name) Address Phone No.  
Towson, Maryland 21204  
Signature City and State  
102 West Pennsylvania Avenue  
Address  
Towson, Maryland 21204-4575  
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Attorney's Telephone No.: 823-1800  
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ORDERED By The Zoning Commissioner of Baltimore County, this 6th day of February, 1985, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 19th day of March, 1985, at 1:30 o'clock P.M.

RESCHEDULED:  
Wednesday, May 8, 1985  
at 1:30 p.m.

(over)

Cal Jahn  
Zoning Commissioner of Baltimore County.

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER  
PETITION FOR VARIANCES  
E/S of Hillen Rd., 800' S of : OF BALTIMORE COUNTY  
Fairmont Ave. (383 Hillen Rd.)  
9th District :

JOHNSTON LABORATORIES, Petitioners : Case No. 85-255-SPHA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman  
People's Counsel for Baltimore County

Peter Max Zimmerman  
Deputy People's Counsel  
Rm. 223, Court House  
Towson, MD 21204  
494-2188

I HEREBY CERTIFY that on this 5th day of March, 1985, a copy of the foregoing Entry of Appearance was mailed to Keith R. Truffer, Esquire, 102 W. Pennsylvania Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman  
Peter Max Zimmerman

Case No. 85-255-SPHA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your petition has been received and accepted for filing this 6th day of February, 1985.

MICROFILMED

ARNOLD JABLON  
Zoning Commissioner

Petitioner Johnston Laboratories  
Petitioner's Attorney Keith R. Truffer, Esquire  
Received by Nicholas S. Commodari  
Chairman, Zoning Plans Advisory Committee

ORDER RECEIVED FOR FILING  
DATE May 24/1985  
BY

# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

April 26, 1985

COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204

ofo

Nicholas S. Commodari  
Chairman

MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Item No. 192 - Case No. 85-255-SPHA  
Petitioner - Johnston Laboratories  
Special Hearing & Variance Petitions

Dear Mr. Truffer:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

In view of your proposal to construct a sign along the frontage of your client's property, this combination hearing is required. The portion of the property encompassing the building is zoned M.L., while the frontage is zoned D.R.5.5 and M.L.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,  
Nicholas S. Commodari, Jr.  
NICHOLAS S. COMMODARI  
Chairman  
Zoning Plans Advisory Committee

NBC:nr  
Enclosure

cc: Gerhold, Cross & Etzel  
412 Delaware Avenue  
Towson, Maryland 21204

BALTIMORE COUNTY  
DEPARTMENT OF PUBLIC WORKS  
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.  
DIRECTOR

January 25, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Item #192 (1984-1985)  
Property Owner: Johnston Laboratories  
E/S Hillen Rd., approx. 800' S. of Fairmont Ave.  
Access: 11-88984  
District: 9th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:  
As no public facilities are involved, this office has no comment.

Very truly yours,  
James A. Markle, P.E., Chief  
Bureau of Public Services

JAM:EM:ROP:ISS

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
TOWSON, MARYLAND 21204  
494-3211  
NORMAN E. GERBER  
DIRECTOR

Mr. Arnold Jablon  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Zoning Advisory Meeting of 1/16/85  
Item # 192  
Property Owner: Johnston Laboratories  
Location: E/S Hillen Rd.  
Self-Fairmont Ave.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable:

- ( ) There are no site planning factors requiring comment.
- ( ) A County Review Group Meeting is required.
- ( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ( ) A record plat will be required and must be recorded prior to issuance of a building permit.
- ( ) The access is not satisfactory.
- ( ) The parking arrangement is not satisfactory.
- ( ) The parking calculations must be shown on the plan.
- ( ) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ( ) The amended Development Plan was approved by the Planning Board on 1/16/85.
- ( ) Landscaping: Must comply with Baltimore County Landscaping Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is re-evaluated annually by the County Council.
- ( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The basic services areas are re-evaluated annually by the County Council.
- (X) Additional comments:  
The site plan was reviewed by the Planning Board and approved on 1/16/85.

cc: James Hoswell

Eugene A. Boker  
Chief, Current Planning and Development

# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

Arnold Jablon  
To: Zoning Commissioner  
Date: January 15, 1985

FROM: Baltimore County Planning Board

SUBJECT: Johnston Laboratories  
383 Hillen Road, Towson, Maryland  
Petition for Zoning Variance and Special Hearing

The property is divided into 3 zoning classifications, M.R. and D.R.5.5 adjacent to Hillen Road and M.L. on the remainder of the property. The petitioner is proposing to erect a double-faced, illuminated sign located at a distance of 25 feet from Hillen Road, on either the M.R. or D.R.5.5 zoned portions of the site. Abutting the M.R. zoned portion of the tract is the existing Metro Housing residential complex; abutting the D.R.5.5 zoned portion, the Greenbrier residential development; on the opposite side of Hillen Road, additional residences.

After a careful review of the regulations governing signs and M.R. zones, the Planning Board is of the opinion that the proposed sign is not permitted in the M.R. zone. Further, the Board questions whether or not the granting of the requested variance to Section 243.4 of the Baltimore County Zoning Regulations would be in conformance with the spirit and intent of the M.R. regulations. Finally, the Planning Board believes that the placement of the proposed sign in the M.R. zoned portion of the property in such proximity to the Metro Housing Complex would be totally inappropriate.

As to the alternative proposal by the petitioner to locate the proposed sign on the D.R.5.5 portion of the property, the Planning Board is of the opinion that it should not be illuminated, nor should it be sited perpendicular to Hillen Road. A non-illuminated, single-faced sign, sited parallel to Hillen Road, carefully landscaped at the sides and rear, would be more visually acceptable in view of the adjacent residences. Finally, the Board would be concerned with the precedent, if indeed it would be such, of granting a variance to permit a sign of the size proposed by the petitioner, instead of limiting it to the 25 square feet set forth in Section 413.1 of the Baltimore County Zoning Regulations.

Norman E. Gerber  
Norman E. Gerber, Secretary  
Baltimore County Planning Board

NEG:JGH:bjs

MICROFILMED

MICROFILMED

MICROFILMED



Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, that the herein Petition for Variance(s) to permit

# BALTIMORE COUNTY, MARYLAND

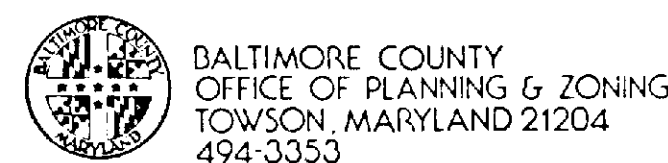
## INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon  
Zoning Commissioner  
Date: March 13, 1985  
FROM: Norman E. Gerber, Director  
Office of Planning and Zoning  
No. 85-255-SPHA  
SUBJECT: Johnston Laboratories

Please consider the comments of the Baltimore County Planning Board (dated 1/15/85) to be the position of this office.

*Norman E. Gerber*  
Norman E. Gerber, Director  
Office of Planning and Zoning

NEG/JGH/ef



ARNOLD JABLON  
ZONING COMMISSIONER

JEAN M. H. JUNG  
DEPUTY ZONING COMMISSIONER

May 24, 1985

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
AND VARIANCE  
E/S Hillen Road, 800' S of  
Fairmont Ave. (383 Hillen Rd.)  
9th Election District  
Johnston Laboratories -  
Petitioner  
Case No. 85-255-SPHA (Item 192)

Dear Mr. Truffer:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,  
*JEAN M. H. JUNG*  
JEAN M. H. JUNG  
Deputy Zoning Commissioner

JMHJ:bg

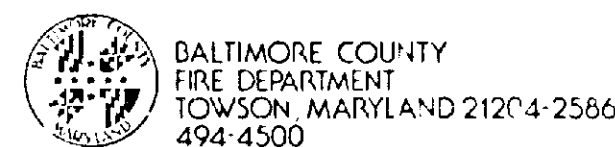
Attachments

cc: Mr. Donald Plank  
302 Linden Avenue  
Towson, Maryland 21204

Ms. Kay Turner  
Alliance of Baltimore County  
Community Councils  
618 W. Chesapeake Avenue  
Towson, Maryland 21204

Ms. June Zang  
268 E. Susquehanna Avenue  
Towson, Maryland 21204

People's Counsel



PAUL H. REINCKE  
CHIEF

January 23, 1985

Mr. Arnold Jablon  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

Attention: Nick Commodari, Chairman  
Zoning Plans Advisory Committee

RE: Property Owner: Johnston Laboratories

Location: E/S Hillen Rd. approx. 800' S. of Fairmount Ave.

Item No.: 192 Zoning Agenda: Meeting of 1/16/85

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals of \_\_\_\_\_ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

( ) 2. A second means of vehicle access is required for the site.

( ) 3. The vehicle dead end condition shown at \_\_\_\_\_ EXCEEDS the maximum allowed by the Fire Department.

( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

( ) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

( ) 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *John M. Kelly* Noted and Approved: *Ernest M. Markowitz*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

/mb

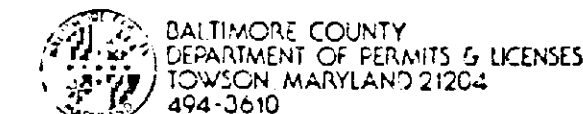
RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \* DEPUTY ZONING COMMISSIONER  
E/S Hillen Road, 800' S of \*  
Fairmont Ave. (383 Hillen Rd.), \*  
9th Election District \* OF BALTIMORE COUNTY  
Johnston Laboratories - \* Case No. 85-255-SPHA (Item 192)  
Petitioner \*

The Petitioner herein requests approval for the construction of a business sign in a D.R. zone which is contiguous to and under the same ownership as an industrial use zone or in an M.R. zone, as well as a variance to permit the construction of a double faced, internally illuminated sign with a total square footage of 161 square feet in lieu of a permitted non-illuminated sign of 25 square feet or to permit the construction of a structure (sign) in an M.R. zone within a minimum distance of 25 feet from the nearest residential boundary line in lieu of the required 125 feet.

At the onset of the hearing, counsel for the Petitioner moved to amend the Petition for Variance to read "...sign with a total square footage of 79.18 square feet..." and to amend the drawing of the proposed sign as shown on the site plan prepared by Gerhold, Cross & Etzel, Professional Land Surveyors, dated November 1, 1981 and marked Petitioner's Exhibit 1, to eliminate the 2' 10" x 14' 10" lower portion of the sign. The motion was granted.

Testimony on behalf of the Petitioner indicates that the site is the primary location of Johnston Laboratories, a manufacturer of medical instruments and products. The building is located on the M.L. zoned portion of the site and is approximately 550' from Hillen Road. A part of the frontage is zoned M.R., the remainder D.R. 5.5. The entrance to the property is on a curve and the building is visible only when viewed directly from the front.

ORDER RECEIVED FOR FILING  
DATE *May 24 1985*  
BY *Barbara A. Schindler*



January 23, 1985

TED ZALESKI JR.  
DIRECTOR

Mr. Arnold Jablon, Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 192 Zoning Advisory Committee Meeting are as follows:

Property Owner: Johnston Laboratories  
Location: E/S Hillen Road approximately 800' South of Fairmount Avenue  
Existing Zoning: M.R. - D.R. 5.5  
Proposed Zoning: Special hearing for construction of a business sign in a D.R. zone which is contiguous to & under the same ownership as a business use zone, etc.

Acres: 11.8898 ±  
District: 9th.

The items checked below are applicable:

(A) All structures shall conform to the Baltimore County Building Code 1981/Council Bill 4-82 State of Maryland Code for the Building and Code and other applicable codes.

(B) A building/other miscellaneous permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. In exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 101.1, Section 10.07 and Table 100.2, also Section 503.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s \_\_\_\_\_.

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

(I) Comments - Signs shall comply to Article 1900. - Specifically See Section 1906.1 and 1906.2 as amended by Bill 4-82 for illuminated signs. Comply also to 1911.0.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

*Charles E. Burdham*  
Charles E. Burdham, Chief  
Plans Review

The road has two lanes and is hilly and narrow. The only sign utilized since the company moved to this location three to four years ago is a construction sign, approximately 4' x 8' in size, installed parallel to the road. Job applicants, sales persons, deliveries, trainees, etc. need an identification sign of sufficient size to locate the facility and to make a safe entry.

There is corporate direction as to use of the sign's logo and acceptable proportions. A sign perpendicular, not parallel, to the road would give sufficient visibility. Illumination is required because deliveries and pick-ups occur as late as 7:00 p.m., several hours after winter sunsets. The company prefers to erect its sign on the D.R. 5.5 rather than M.L. frontage. Residences are located on three sides of the proposed sign location.

Three persons, a representative of the Alliance of Baltimore County Community Councils and two residents of the area, had no objection to the proposed sign under the unique situation presented.

All parties to the hearing stipulated that the Deputy Zoning Commissioner could visit the site and the general neighborhood.

After a site inspection and review of the Baltimore County Zoning Regulations relative to signs and the spirit and intent of M.R. and D.R. zones, the opinion of the Deputy Zoning Commissioner compliance with the zoning regulations for Baltimore County, in the instant case, would result in extreme practical difficulty and unreasonable hardship upon the Petitioner and the granting of some of the Petitions requested would not adversely affect the health, safety, and general welfare of the community, and therefore, should be granted.



Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24<sup>th</sup> day of May, 1985, that the herein Petitions to permit the construction of a double faced internally illuminated business identification sign with a total square footage of 79.18 square feet in a D.R. zone is GRANTED, from and after the date of this Order, subject to the following:

1. The sign shall indicate the name of the owner and premises and be located within the D.R. 5.5 zoned area, both precisely as shown on the site plan submitted and filed herein, marked Petitioner's Exhibit 1.
2. The sign shall be illuminated no later than 7:00 p.m. or the closing hour for the business, whichever comes earlier.

It is FURTHER ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 24<sup>th</sup> day of May, 1985, that the herein Petition for Special Hearing for the construction of a business sign in an M.R. zone is hereby DENIED, and the Petition for Variance to permit the construction of a structure (sign) in an M.R. zone within a minimum distance of 25 feet from the nearest residential boundary line in lieu of the required 125 feet is hereby DISMISSED.

*John M. Dwyer*  
Deputy Zoning Commissioner  
of Baltimore County

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Section 307 of the Baltimore County Zoning Regulations B.C.Z.R. empowers the Zoning Commissioner to grant variances from sign regulations, in addition to height, area and offstreet parking regulations:

"\* \* \* where strict compliance with the Zoning Regulations of Baltimore County would result in practical difficulty or unreasonable hardship."

A further requirement of this regulation is that a variance will be granted if it is:

"\* \* \* in strict harmony with the spirit and intent of said . . . regulations and only in such manner as to grant relief without substantial injury to public, health, safety and general welfare."

The phrase "practical difficulties and unnecessary hardships" as used in Section 307 has been defined as that which is peculiar to the situation of the applicant, is not necessary to carry out the spirit of the ordinance, and is so severe as to amount to a substantial and unnecessary injustice to the applicant, McLean v. Soley, 270 Md. 208 (1973), citing Carney v. City of Baltimore, 201 Md. 130, 137 (1952).

Applying these standards to Johnston Laboratories' factual situation, the Petitioner would suffer substantial and unnecessary hardship as a result of a strict application of the sign dimension regulations of a D.R. 5.5 zone.

In connection with Johnston Laboratories' manufacturing business, numerous deliveries of supplies, machinery and other materials are made to its facility every day (Exhibit No. 1). Obviously, the prompt and efficient delivery of such materials

#### MEMORANDUM IN SUPPORT OF PETITIONS

Petitioner, Johnston Laboratories, a division of Becton Dickinson, by its attorney, Keith R. Truffer, files this memorandum in support of its Petition for Special Hearing and Petition for Zoning Variance, filed herewith.

#### I. INTRODUCTION

The Petitioner, Johnston Laboratories, is a manufacturer of sophisticated medical testing equipment, with its primary location at 383 Hillen Road (Exhibit No. 1). As indicated on the attached plats, Johnston Laboratories' building is located in an M.L. zone, adjoining the large Black and Decker facility to the north. The Johnston Laboratories building abuts zones D.R. 16, D.R. 5.5 and D.R. 5.5. to the northwest, west and south, respectively. The western D.R. 5.5 zone is also owned by Johnston Laboratories and provides a buffer between the M.L. zone and the D.R. 10.5 zone across Hillen Road.

Johnston Laboratories seeks a permit to construct a sign, a drawing of which is attached hereto as Petitioner's Exhibit No. 2, which would be internally illuminated, non-flashing, and double-faced with a total dimension of 161 square feet. The sign would be located in the D.R. 5.5 zone along Hillen Road, so as to identify Johnston Laboratories' building which is set back approximately 550 feet from the road.

By way of background, two similar signs were located along Hillen Road by the previous tenant, American Totalisator, from 1953 until two years ago, when Johnston Laboratories took over the building. In the last two years, a large construction sign in the same general area has served to identify Johnston Laboratories' operation. (Exhibit No. 1).

#### II.

##### THE REQUESTED SIGN IS A PERMITTED USE IN D.R. 5.5 ZONE

The only purpose of the sign requested by Johnston Laboratories is to identify the company to delivery vehicles and other persons passing on Hillen Road attempting to locate Johnston Laboratories (Exhibit No. 1). Under the Baltimore County Zoning Regulations (B.C.Z.R.), Section 413.1e., a directional or informational sign (within the specified dimensions of 15 square feet in area) is a permitted use in any zone. This is exactly the type of sign Johnston Laboratories seeks to place on its property. The obtention of a variance would, of course, be required to permit an illuminated sign of the requested dimensions.

An alternative basis exists for the use of the requested type of sign in a residential zone. Section 413.1a. permits the use of a sign in any zone "indicating the name or number of the owner and/or premises." The size of this type of sign is limited by this regulation to one square foot in area. The sign requested by Johnston Laboratories is clearly within the definition of this section, as the proposed sign is no more than

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The building's poor visibility is a result of a number of geographic factors peculiar to the Petitioner's property. These factors are not common to other properties in the community.

The attached plat shows that the general configuration of Johnston Laboratories' property is in a pie-shape, with the most narrow portion fronting on Hillen Road. The shape of this property affords a very limited period of time for delivery drivers, job applicants or other persons to spot the facility. The Johnston Laboratories building is set back approximately 550 feet from Hillen Road, further hampering its visibility. A number of large trees are situated on both of the corners of the Petitioner's property (in addition to a garage located on the southern corner).

These physical landmarks, added to the deep setback of the building, effectively obscure the view of Johnston Laboratories' facility from approaching vehicles in both directions. Only when directly in front of Johnston Laboratories on Hillen Road can one even see the building, set back as it is 550 feet, much less identify the owner.

Given the narrow, winding character of Hillen Road, a sign limited to the size of fifteen square feet (by Section 413.1e) or one square foot (by Section 413.1a) simply would be too small to attract the attention of passing drivers of large delivery vehicles, job applicants and other persons doing business with Johnston Laboratories. Without a sign of sufficient dimensions located near Hillen Road to alert the attention of passing delivery vehicles, such deliveries would undoubtedly be delayed

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that which is available to all residential property owners, to wit, a designation of owner's name. The size of the sign may be enlarged by variance pursuant to B.C.Z.R., Section 307.

The proposed sign would be a conservatively styled sign, not inappropriate for placement in a residential community. No advertising, marketing or other promotional material would be placed on the sign so as to remove it from the permitted use.

The sign in the D.R. 5.5 zone should be permitted as absolutely necessary to Johnston Laboratories use of the adjoining parcel. The land in the D.R.5.5 zone is under common ownership, is contained within the same fenced area as the Petitioner's building and is actually an adjunct to Johnston Laboratories' manufacturing operation in the M.L. zone (See Plat, attached as Exhibit No. 3). Furthermore, the only purpose that the D.R. 5.5 zone serves is to prevent further development of that parcel as a manufacturing site. The construction of the proposed sign would do nothing to change the residential character of that zone.

Based on the above, the erection of a modest, inoffensive sign in the D.R. 5.5 zone which designates Johnston Laboratories as owner of that property is a permitted use in that zone under the Baltimore County Zoning Regulations.

#### III.

STRICT APPLICATION OF SIZE REGULATIONS AS TO SIGNS IN A D.R. 5.5 ZONE PRESENTS AN UNREASONABLE HARDSHIP TO JOHNSTON LABORATORIES

-3-

while the driver hunts the length of Hillen Road to find Johnston Laboratories, or more likely, missed altogether when that driver gives up the hunt. Obviously, such a situation would greatly interfere with the operation of Johnston Laboratories' business, dependant as it is on the timely and reliable delivery of supplies, machinery and other like materials. This same problem applies with equal force to job applicants and other persons doing business with the Petitioner (Exhibit No. 1). To restrict Johnston Laboratories' use of a sign designating its name to that normally permitted in a D.R. 5.5 zone would be to work a substantial and unnecessary hardship upon the Petitioner.

A grant of the requested variance would be in harmony with the spirit of the sign regulations and general zoning requirements specified in the B.C.Z.R.

The Johnston Laboratories' facility is an unobtrusively designed modern building, visible from all of the surrounding residential communities. The small, tasteful sign proposed by Johnston Laboratories, merely identifying its name, would not interject any further commercial development in this neighborhood. Local residents have become accustomed to this type of sign in this location since 1953, when the prior tenant, American Totalisator, first erected its sign (Exhibit No. 1).

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ORDER RECEIVED FOR FILING

DATE May 24, 1985

BY Barbara A. Edmond  
ADMINISTRATIVE ASSISTANT



The addition of the proposed sign is, in fact, a benefit to the surrounding residential community as it would serve to facilitate traffic flow along Hillen Road. The law is clear that the impact a proposed variance may have on traffic is a proper factor in considering a request for that variance, Marino v. City of Baltimore, 215 Md. 206, 221 (1950).

As mentioned previously, Hillen Road is winding and narrow. Delivery trucks travelling along that road en route to the Johnston Laboratories' building are quite often tractor-trailers and other large delivery vehicles (Exhibit No. 1). Without a sign of sufficient size to quickly identify Johnston Laboratories' location to the delivery vehicles, these trucks will be forced to make, at very least, numerous passes on Hillen Road to locate Johnston Laboratories. This creates obvious traffic problems for such a narrow road, with tractor-trailers and other large vehicles backing up, turning around and travelling repeated, unnecessary trips along that road. Automobiles driven by other persons seeking to do business with Johnston Laboratories would exacerbate the situation.

These traffic problems would be greatly alleviated (if not eliminated altogether) to the distinct benefit of the surrounding community, by permitting the proposed sign.

-8-

Conversely, a denial of the variance creates unnecessary traffic problems and safety hazards for this community.

Concluding, the grant of a variance to permit the Petitioner to construct the requested sign is permissible under the B.C.Z.R., beneficial to the community as a whole, and necessary to avoid the imposition of an undue hardship upon the Petitioner. A variance should therefore be granted as the sign regulations applicable to the Petitioner's D.R. 5.5 zone and permit the sign of the requested dimensions.

#### IV.

##### THE REQUESTED SIGN IS A PERMITTED USE IN AN M.R. ZONE

As an alternative to placement of the requested sign in the D.R. 5.5 zone, the Petitioner seeks to place that sign in the M.R. zone which runs, in a narrow strip, from Hillen Road to the M.L. zone on which Johnston Laboratories' building is located. The Petitioner is owner of the M. R. zoned parcel as well.

While no section of the B.C.Z.R. specifically authorizes the employment of business signs in an M.R. zone, Section 413.2f provides that:

"\* \* \*other business signs (not exceeding three on any premises) may be used if limited to a total of 100 square feet in Business Zones and 200 square feet in M.H. zones." (Underlining added.)

In a recent case in the Circuit Court for Baltimore County, Sign Works, Inc. v. County Board of Appeals for Baltimore County, 83M90, (June 1, 1983), Section 413.2f has been interpreted as permitting signs in addition to those in the

-9-

preceding paragraphs a. through e.

Use of the lower case "business zone" in 413.2 was distinguished by the Court from the use of the upper case "Business Zone" as the former was intended by the Baltimore County Council to refer to all zones that have to do with business and industry while the latter only refers to the traditional zones designated B.R., B.M. and B.L. by the Zoning Regulations.

The Circuit Court's interpretation of the lower case "business" in Section 413.2 is equally applicable to the phrase "other business signs" in Section 413.2f. as including all signs, other than those specified, that have to do with business or industry. "Other business signs" would thus permit the construction of signs in an M.R. zone.

To arrive at a different construction would illogically permit "other business signs" in Business Zones (in addition to those listed in Section 413.2 a through e) while prohibiting them in an M.R. zone, which is a less restrictive zone. If anything, one would expect signs to be more liberally permitted in M.R. zones, where improvements are spread out on larger tracts of land, than in Business Zones, where improvements are crowded closely together along heavily travelled streets in urban areas.

Given the less restrictive uses available in an M.R. zone, the size of the sign permitted therein should be no less than that which is permitted in the Business Zones, to wit, 100 square feet.

-10-

#### V.

##### STRICT APPLICATION OF THE SETBACK REQUIREMENTS IN THE M.R. ZONE PRESENTS SUBSTANTIAL PRACTICAL DIFFICULTY TO JOHNSTON LABORATORIES

Section 243.4 of the B.C.Z.R. provides that no "structure shall be built within 125 feet of the nearest residential zone." The term "structure" is nowhere defined in the B.C.Z.R. Assuming, arguendo, that the proposed sign is a structure within the meaning of Section 243.4, a variance of these area regulations would have to be obtained in order to permit construction of the proposed sign in the M.R. zone within 25 feet of the nearest residential boundary line. Without such a variance, the requested sign could not be constructed in this zone.

The standards for the obtention of an area variance are less stringent than those required for a use variance, McLean v. Soley, *supra*; Anderson v. Chesapeake Beach, 22 Md. App. 28 (1974). The requirements for such a variance are, generally:

1. Compliance with the regulation would unreasonably prevent a permitted use or be unnecessarily burdensome.
2. The grant of a variance would do substantial justice to the Petitioner and the neighborhood.
3. Whether relief can be granted so that the spirit of the ordinance can be observed.

Anderson v. Chesapeake Beach, *supra*, at 39.

Applying these standards to Johnston Laboratories, it is clear that the grant of an area variance is appropriate in this

-11-

case. For the reasons stated in Section II of this Memorandum, the erection of a sign, located along Hillen Road, of sufficient size to attract the attention of passing delivery vehicles and job applicants is absolutely essential to the continued operation of the Petitioner's business. Without such a sign, Johnston Laboratories would be severely impeded in the continuance of its operation.

Such a sign would not be inconsistent with the character of the neighborhood, particularly given the fact that a similar sign has existed there for over 30 years. The requested sign would likely result in the appreciable facilitation of traffic flow along Hillen Road, to the benefit of both the Petitioner and the surrounding community.

For these reasons, a variance should therefore be granted to the area regulations in an M. R. Zone so as to avoid practical difficulty and unnecessary hardship which would otherwise befall Johnston Laboratories by a strict application of the zoning regulations.

#### VI.

##### CONCLUSION


The proposed sign is absolutely necessary for the operation of Johnston Laboratories' light manufacturing business. Without

-12-

such a sign, the Petitioner would suffer a significant and unreasonable disruption to its business. Johnston Laboratories seeks a sign indicating its name which can be characterized as either informational or designating ownership. Either of these uses are permitted in a D.R. 5.5 zone. By reason of Johnston Laboratories' unique geographical location, a variance of the size regulations applicable to a sign in that zone is necessary to avoid the unreasonable hardship that would otherwise be visited upon Johnston Laboratories. Furthermore, no substantial injury would occur to the public health, safety and general welfare if such a variance is granted. In fact, the community as a whole would be benefitted by the facilitated traffic flow in the neighborhood.

In the alternative, a business sign of the requested dimensions is a permitted use in a M.R. zone. For the reasons stated, the requested area variance of the setback regulations is appropriate to eliminate the hardship otherwise placed on Johnston Laboratories.

Respectfully submitted,

  
Keith R. Truffer  
Royston, Mueller, McLean & Reid  
Suite 600  
102 West Pennsylvania Avenue  
Towson, Maryland 21204-4575  
823-1800

Attorney for Petitioner

-13-

##### PETITION FOR SPECIAL HEARING AND VARIANCES

###### 9th Election District

LOCATION: East side Hillen Road, 800 ft. South of Fairmount Avenue (383 Hillen Road)

DATE AND TIME: Tuesday, March 19, 1985 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner should approve the construction of a business sign in a D.R. zone which is contiguous to and under the same ownership as an industrial use zone and also the construction of a business sign in an M.R. zone; and Variances to permit the construction of a double faced, internally illuminated sign with a total square footage of 161 square feet in lieu of a permitted non-illuminated sign of 25 sq. ft. In the alternative, to permit the construction of a structure (sign) in an M.R. zone within a minimum distance of 25 ft. from the nearest residential boundary line in lieu of the required 125 ft.

Being the property of Johnston Laboratories, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY

##### RESCHEDULED

##### PETITION FOR SPECIAL HEARING AND VARIANCES

###### 9th Election District

LOCATION: East side Hillen Road, 800 ft. South of Fairmount Avenue (383 Hillen Road)

DATE AND TIME: Wednesday, May 8, 1985 at 1:30 P.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner should approve the construction of a business sign in a D.R. zone which is contiguous to and under the same ownership as an industrial use zone and also the construction of a business sign in an M.R. zone; and Variances to permit the construction of a double faced, internally illuminated sign with a total square footage of 161 square feet in lieu of a permitted non-illuminated sign of 25 sq. ft. In the alternative, to permit the construction of a structure (sign) in an M.R. zone within a minimum distance of 25 ft. from the nearest residential boundary line in lieu of the required 125 ft.

Being the property of Johnston Laboratories, as shown on plat plan filed with the Zoning Office.

In the event that these Petitions are granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF  
ARNOLD JABLON  
ZONING COMMISSIONER  
OF BALTIMORE COUNTY



D.R. 5.5 AND M.R. ZONES AT  
383 HILLEN ROAD, TOWSON, MARYLAND

**ZONING DESCRIPTION**

Located on the east side of Hillen Road approximately 800 feet south of the intersection of Fairmont Avenue and thence running along Hillen Road southeasterly approximately 230 feet thence leaving Hillen Road and running north 79 degrees 57' 25" east 379.74 feet to the zoning line between D.R. 5.5 and M.L. zones and thence running northwest along said zoning line approximately 395 feet and thence south 53 degrees 44' 16" west 225 feet to the place of beginning. Also known as 383 Hillen Road.

OFFICE COPY

**AFFIDAVIT OF RICHARD HOLLINGSHEAD**

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this 2nd day of January, 1985, before me, the subscriber, a Notary Public of the State aforesaid, personally appeared RICHARD HOLLINGSHEAD and made oath in due form of law that the following matters and facts are true and correct to the best of his knowledge, information and belief:

1. I, Richard Hollingshead, am competent to testify.
2. I am the Facilities Manager of the Petitioner, Johnston Laboratories.
3. Johnston Laboratories is a Division of Becton, Dickinson and Company, and is the manufacturer of medical testing equipment. The sign which is the subject of these Petitions is requested for the purpose of identifying the Johnston Laboratories building to delivery vehicles, job applicants, purchasers, advertisers, vendors, and other persons seeking to do business with Johnston Laboratories passing on Hillen Road.
4. Signs identifying the prior tenant of 383 Hillen Road, American Totalisator, existed during the period beginning approximately 1953 through 1982. Since 1982, a large construction sign has identified the Johnston Laboratories' facility to passing vehicles.
5. In connection with Johnston Laboratories' manufacturing business, numerous deliveries of supplies, machinery, and materials are made to its facility on a daily basis. Such deliveries are made by tractor trailers and other large delivery vehicles and are essential to the business of Johnston Laboratories. Inefficient and delayed deliveries would greatly interfere with the operation of Johnston Laboratories' business.

EXHIBIT 1

6. As vacancies continually arise in the Petitioner's workforce, it is necessary that numerous job applicants visit the Johnston Laboratories' facility. Unless such job openings are promptly filled, a manpower shortage would occur, resulting in the interference with Johnston Laboratories' operation.

7. Numerous other persons seeking to do business with Johnston Laboratories, including, but not limited to, purchasers in need of training in the use of Johnston Laboratories' products, vendors and advertisers, all of whom are otherwise unfamiliar with its site, frequently and regularly need to locate the building as a necessary part of the Petitioner's business. Unless such persons could promptly and expeditiously locate the facility, Johnston Laboratories' business would be severely disrupted.

8. The photographs attached hereto and collectively identified as Exhibit 4 are a true and accurate representation of the current appearance of the Johnston Laboratories' building.

WITNESS my hand and Notarial Seal.

*Marjant & Fley*  
Notary Public  
My Commission Expires: 7/1/86

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ROYSTON, MUELLER, MCLEAN & REID

ATTORNEYS AT LAW  
SUITE 600  
102 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4575  
(301) 823-1800

OF COUNSEL  
CARRILL W. ROYSTON  
H. ANTHONY MUELLER  
JOHN L. ASKEW

March 1, 1985

Mr. Arnold Jablon, Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Johnston Laboratories  
Petition for Zoning Variance and Petition for  
Special Hearing

Dear Mr. Jablon: *85-255-SPHA*

This will confirm my conversation with Ms. January of your office in which she informed me that the hearing on the above Petition, now set for March 19, 1985, has been postponed. In accordance with her request, this will serve as a formal request for that postponement by the Petitioner.

The primary witness the Petitioner intends to produce at the hearing is the Director of Operations for Johnston Laboratories, Mr. Donald Pearce. Mr. Pearce would testify as to the need for the sign and the circumstances supporting that need. Unavoidably, Mr. Pearce will be out of town on business on March 19, 1985, and thus will not be available for the hearing. The Petitioner's case would be greatly impaired if Mr. Pearce is unable to testify, and the hearing's postponement was requested for this reason.



Sincerely,

*Keith R. Truffer*  
Keith R. Truffer

ROYSTON, MUELLER, MCLEAN & REID

ATTORNEYS AT LAW  
SUITE 600  
102 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4575  
(301) 823-1800

OF COUNSEL  
CARRILL W. ROYSTON  
H. ANTHONY MUELLER  
JOHN L. ASKEW

March 18, 1985

Mr. Nicholas B. Commodari  
Office of Planning and Zoning  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Johnston Laboratories' Petition for Variance

Dear Mr. Commodari:

As you are aware, the Hearing on the above Petition, previously set for March 19, 1985, has been postponed upon the request of the Petitioner. It is my understanding that you will be resetting the hearing date for some time after April, 1985.

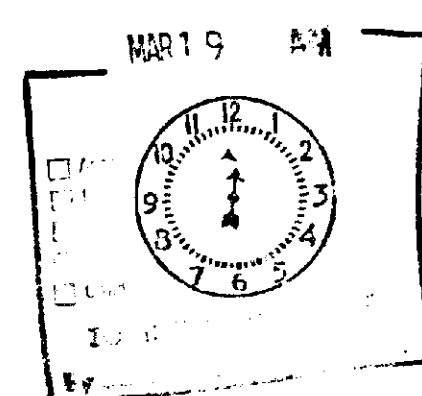
Due to the complexity of the issues involved and, in light of the unsettled state of sign regulations in Baltimore County, the probable necessity of making a policy decision, it would be appreciated if you would reschedule the hearing before Commissioner Jablon.

Thanking you for your cooperation and assistance in this matter,

Sincerely,

*Keith R. Truffer*  
Keith R. Truffer

KRT:tjse



April 8, 1985

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204-4575

RESCHEDULED  
NOTICE OF HEARING  
RE: Petition for Special Hearing and Variances  
E/S Hillen Rd., 800' S of Fairmount Avenue  
(383 Hillen Road)  
Johnston Laboratories - Petitioner  
Case No. 85-255-SPHA

TIME: 1:20 p.m.

DATE: Wednesday, May 8, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

*Keith R. Truffer*  
Zoning Commissioner  
of Baltimore County

ROYSTON, MUELLER, MCLEAN & REID

ATTORNEYS AT LAW  
SUITE 600  
102 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-4575  
(301) 823-1800

OF COUNSEL  
CARRILL W. ROYSTON  
H. ANTHONY MUELLER  
JOHN L. ASKEW

January 7, 1985

Arnold Jablon, Zoning Commissioner  
Baltimore County Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Re: Johnston Laboratories  
Petition for Zoning Variance and  
Petition for Special Hearing

Dear Commissioner Jablon:

Enclosed are Petitions for Zoning Variance and Special Hearing and supporting materials filed herewith in connection with Johnston Laboratories' efforts to obtain a permit to construct a business sign in either the D.R. 5.5 or M.R. zones on its premises at 383 Hillen Road, Towson, Maryland.

Section 240.3 of the Baltimore County Zoning Regulations requires that when a property owner seeks to develop an M.R. zone, he is required to file with the Director of Planning copies of a "Proposed Development Plan," indicating certain specified characteristics of that development. While the proposed sign is obviously not a "development" in the common sense, 5 additional copies of the site plan are nonetheless being filed with the Director of Planning in compliance with this Section.

It would be appreciated if you would contact me if any further information is required concerning these two Petitions.

Thanking you and your staff for your cooperation in this matter,

Sincerely,

*Keith R. Truffer*  
Keith R. Truffer

KRT/keg  
Enclosures

BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
434-3353

ARNOLD JABLON  
ZONING COMMISSIONER

May 6, 1985

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Special Hearing and Variances  
E/S Hillen Rd., 800' S of Fairmount Ave.  
(383 Hillen Road)  
Johnston Laboratories - Petitioner  
Case No. 85-255-SPHA

Dear Mr. Truffer:

This is to advise you that \$74.57 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Sincerely,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - RECEIVED DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 007420

DATE: 5/22/85 ACCOUNT: 7-01-615-000

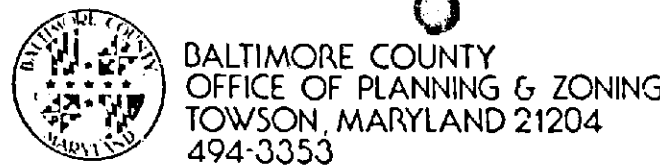
AMOUNT: \$ 74.57

RECEIVED FROM: Johnston Laboratories

FOR: Advertising and Posting Case 85-255-SPHA

VALID ON OR SIGNATURE OF CARRIER





BALTIMORE COUNTY  
OFFICE OF PLANNING & ZONING  
TOWSON, MARYLAND 21204  
494-3353

ARNOLD JABLON  
ZONING COMMISSIONER

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204-4575

RE: Petition for Special Hearing and Variances  
E/S Hillen Rd., 800' S of Fairmount Avenue  
Johnston Laboratories - Petitioner  
Case No. 85-255-SPHA

March 7, 1985

Dear Mr. Truffer:

Please be advised that your request for a postponement of the subject case has been granted. You are responsible for the advertising and posting costs, in the amount of \$22.00, which is due upon receipt of this letter. Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204. Upon the rescheduling of the hearing, a subsequent bill will be issued for the second advertising and posting costs incurred.

If this postponement was due to a previous court assignment, please submit a copy of the assignment to this office for our file. You will be notified in writing of a rescheduled hearing date.

Very truly yours,

*Arnold Jablon*  
ARNOLD JABLON  
Zoning Commissioner

AJ:aj

P. S. I am in receipt of your letter dated March 1, 1985, regarding said postponement.

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9 Date of Posting: 3/1/85  
Posted for: Special Hearing & Variances  
Petitioner: Johnston Laboratories  
Location of property: E/S Hillen Rd., 800' S of Fairmount Ave.  
883 Hillen Rd.  
Location of Signs: Front Hillen Rd., Approx. 20' from road, on  
property of Johnston Lab.  
Remarks: None  
Posted by: Arnold Jablon Date of return: 3/8/85  
Number of Signs: 2

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 005367

DATE: March 7, 1985 ACCOUNT: 85-255-SPHA  
AMOUNT: \$75.11  
RECEIVED FROM: Johnston Laboratories, Inc.  
FOR: Miscellaneous Posting of Signs  
B 8014\*\*\*\*\*721514 0241

VALIDATION OR SIGNATURE OF CASHIER

February 20, 1985

Keith R. Truffer, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204-4575

**NOTICE OF HEARING**  
RE: E/S Hillen Rd., 800' S of Fairmount Avenue  
(883 Hillen Ave.)  
Petition for Special Hearing and Variances  
Johnston Laboratories - Petitioner  
Case No. 85-255-SPHA

TIME: 1:30 P.M.

DATE: Tuesday, March 19, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake  
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 003157

DATE: March 19, 1985 ACCOUNT: 85-255-SPHA  
AMOUNT: \$22.00  
RECEIVED FROM: Johnston Laboratories, Inc.  
FOR: Miscellaneous Posting of Signs  
VALIDATION OR SIGNATURE OF CASHIER

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 9th Date of Posting: 4/16/85  
Posted for: Variances & Special Hearing  
Petitioner: Johnston Laboratories  
Location of property: E/S Hillen Rd., 800' S of Fairmount Ave.  
883 Hillen Rd.  
Location of Signs: Front Hillen Rd., Approx. 20' from road, on  
property of Johnston Lab.  
Remarks: Original Petition - Hearing postponed  
Posted by: Arnold Jablon Date of return: 4/19/85  
Number of Signs: 2

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., April 18, 1985  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on April 18, 1985.

THE JEFFERSONIAN,

*W. Kentel*  
Publisher

Cost of Advertising  
\$28.00

**CERTIFICATE OF PUBLICATION**

Towson, Md., 4/3/1985  
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive week, the first publication appearing on the 27th day of 4/3/1985.

*The Towson Times*  
Cost of Advertisement: \$34.98

**CERTIFICATE OF PUBLICATION**

TOWSON, MD., February 28, 1985  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 28, 1985.

THE JEFFERSONIAN,

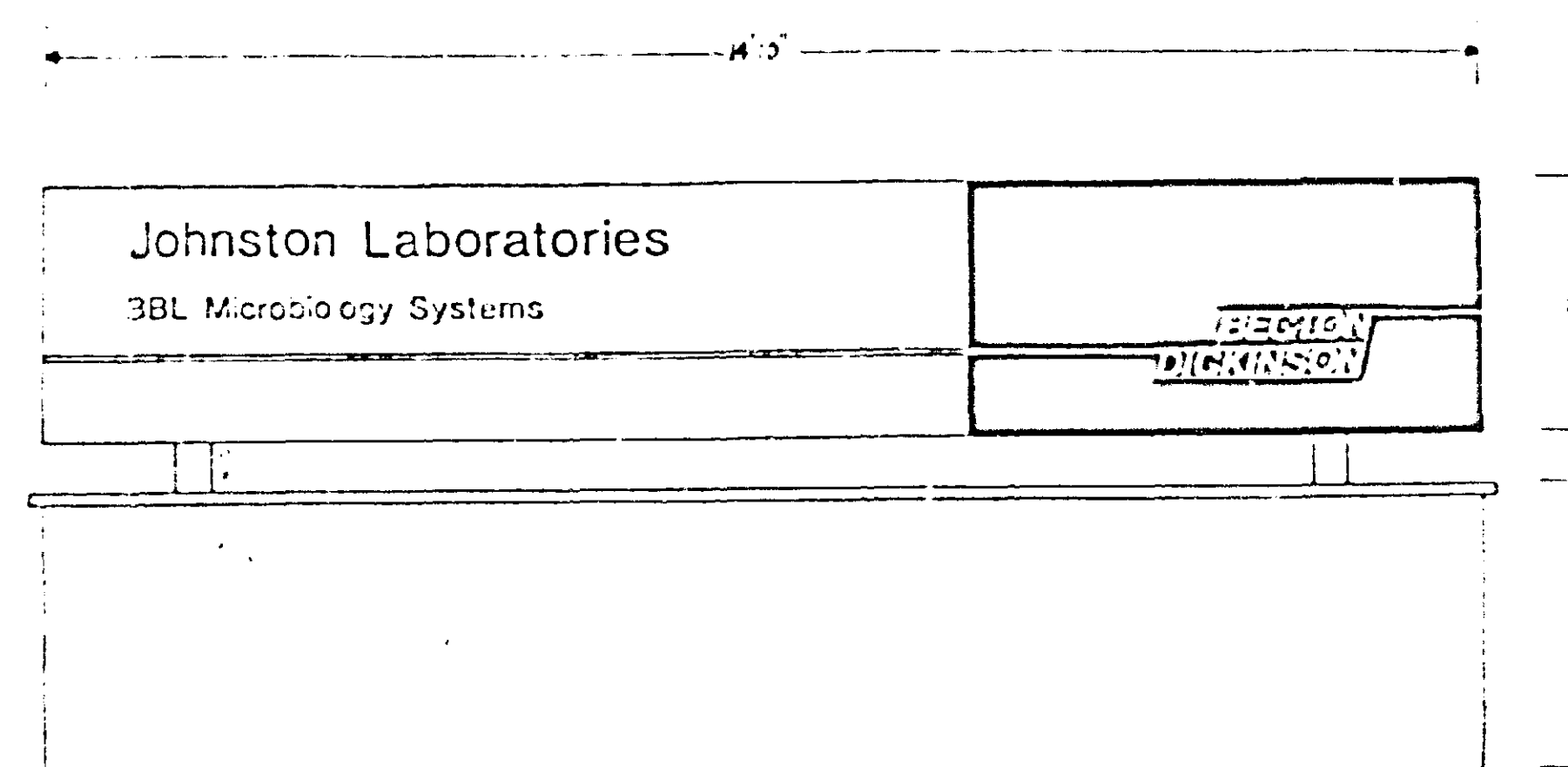
*W. Kentel*  
Publisher

\$28.00

**CERTIFICATE OF PUBLICATION**

Towson, Md., 85-255-SPHA 198  
THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper distributed in Towson, Baltimore County, Md., once a week for 1 consecutive week, the first publication appearing on the 17th day of 4/3/1985.

*The Towson Times*  
Cost of Advertisement: \$34.98



50 0 2 4 8 10 12 14 16 18 20 22 24 26 28 30 50  
30 28 26 24 22 20 18 16 14 12 10 8 6 4 2 0 30

PARAGON K&E 58 3242 GERMANY

0 1 2 3 4 5 6 7 8 9 10

**PETITIONER'S  
EXHIBIT** 1

GEORGE EVANS ASSOC., INC. 137 WEST CAMBRIDGE STREET BALTIMORE, MARYLAND 21202 TELEPHONE 301/642-5050	INTERIOR DESIGN CHIEF DESIGN ASSOC. 539 E. JEFFERSON ROAD FORTNORTH, MARYLAND 21206 TELEPHONE 301/796-2122
<b>TAA Inc.</b> The Architectural Association	
Baltimore, JUNE 22, 1982 102 W Pennsylvania Ave. Towson, Maryland 21204	
<b>ALTERATIONS</b> and <b>ADDITIONS</b> for <b>JOHNSTON LABORATORIES</b> at 303 MILLER ROAD BALTIMORE, MARYLAND 21202 (301) 666-9500	
<b>SITE SURVEY</b> <i>Item # 192</i> 8123	